

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND SPECIAL EXCEPTION - NE/S *
 Windsor Mill Road, 220' NE of * DEPUTY ZONING COMMISSIONER
 its intersection w/Gwynn Oak Avenue *
 (6410 Windsor Mill Road) * OF BALTIMORE COUNTY
 2nd Election District *
 2nd Councilmanic District * Case No. 95-462-SPHX

 Bruce E. Crockett, et ux *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception for that property known as 6410 Windsor Mill Road, located in the vicinity of Gwynn Oak Avenue in Woodlawn. The Petitions were filed by the owners of the property, Bruce E. and Christine M. Crockett, through their attorney, Deborah C. Dopkin, Esquire. The Petitioners seek a special hearing to approve a modification to the previously approved special exception in Case No. 94-225-SPHX to permit the addition of adjoining property to expand the existing service garage use, and a special exception to permit the use of the subject site as a service garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Christine Crockett, property owner, Juri Maiste, Registered Professional Land Surveyor, and Deborah Dopkin, Esquire, attorney for the Petitioners. Appearing as interested persons were Elsie Collison and Marjorie McCullough

Testimony and evidence offered revealed that the subject property consists of 0.979 acres, more or less, zoned B.L.-C.N.S., and is improved with a two-story office building which is presently vacant. The property is located immediately adjacent to 6400-6402 Windsor Mill Road and abuts

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Date

By

8/7/95

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2110 Gwynn Oak Avenue, which were the subject of prior Case No. 94-225-SPHX. In that case, the Petitioners, who were then the Contract Purchasers of 6400-6402 Windsor Mill Road, were granted a special hearing and special exception to include the use of the rear of 2104 Gwynn Oak Avenue for a paint and body shop, and the property at 2110 Gwynn Oak Avenue as part of their service garage operation, known as Security Auto Body, which is located at 6400-6402 Windsor Mill Road. The Petitioners purchased the subject property in April of this year in the hope of expanding their business. The Petitioners propose to raze the existing two-story office building and construct a two-story addition to the masonry shop and office buildings at 6400-6402 Windsor Mill Road. Testimony indicated that the the Petitioners have been extremely good neighbors and have operated a successful business from this location.

On behalf of the Petitioners' request, Mr. William Obrecht, President of the Woodlawn Village Business and Professional Association, offered a letter of support. However, Mr. Obrecht asked that the conditions and restrictions imposed in the previous Order be applied in this case to insure the continued success of this operation.

Appearing as interested parties were Elsie Collison and Marjorie McCullough, who reside on the adjacent property known as 6412 Windsor Mill Road. Ms. Collison and Ms. McCullough attended the hearing to obtain information as to what exactly the Petitioners were proposing for the subject property. After hearing the testimony and evidence presented, Ms. Collison and Ms. McCullough were satisfied that the special hearing and special exception requested herein would not be detrimental to their quiet enjoyment of their property.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-

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Date

By

5/27/95
10/27/95

C.N.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special hearing and special exception should be granted with certain restrictions as more fully described below. However, I believe the proposed two-story addition should be altered to maintain the same common wall as the existing building. This, in essence, would require the Petitioners to amend the site plan submitted into evidence as Petitioner's Exhibit 1 to decrease the width of the proposed addition some 4 to 5 feet. This would allow the proposed addition to be in conformance with existing

ORDER RECEIVED FOR FILING
Date 5/2/95
By [Signature]

improvements on the adjacent properties.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing and special exception should be granted.

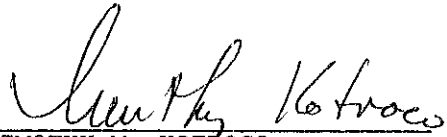
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2th day of August, 1995 that the Petition for Special Hearing to approve a modification to the previously approved special exception in Case No. 94-225-SPHX to permit the addition of adjoining property to expand the existing service garage use, and a special exception to permit the use of the subject site as a service garage, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioners shall submit a revised site plan incorporating the modified relief granted herein.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued January 12, 1994, excluding Restriction Nos. 5 and 7, shall remain in full force and effect.

IT IS FURTHER ORDERED that the Petitioners shall have five (5) years from the date of this Order in which to utilize the special exception granted herein.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/7/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

August 7, 1995

(410) 887-4386

Deborah C. Dopkin, Esquire
Rosolio, Silverman & Kotz
502 Washington Avenue, Suite 220
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION
NE/S Windsor Mill Road, 220' NE of its intersection w/Gwynn Oak Avenue
(6410 Windsor Mill Road)
2nd Election District - 2nd Councilmanic District
Bruce E. Crockett, et ux - Petitioners
Case No. 95-462-SPHX

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Bruce E. Crockett
2590 Bollinger Mill Road, Finksburg, Md. 21048

Mr. Juri Maiste, Maiste & Watts, Inc.
2923 Chenoak Avenue, Baltimore, Md. 21234

People's Counsel

File





Petition for Special Hearing

AND SPECIAL EXCEPTION

to the Zoning Commissioner of Baltimore County

95-462-SPHX
for the property located at

6410 Windsor Mill Road

which is presently zoned BLCNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a modification to Case No. 94-225SPHX and for

Special exception to add adjoining property located at 6410 Windsor Mill Road to the previously approved special exception for service garage use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

n/a

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Deborah C. Dopkin

(Type or Print Name)

Deborah C. Dopkin
Signature

Rosolio, Silverman & Kotz, P.A.
502 Washington Avenue, Suite 220

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

Legal Owner(s):

Bruce E. Crockett

(Type or Print Name)

Bruce E. Crockett
Signature

Christine M. Crockett

(Type or Print Name)

Christine M. Crockett
Signature

2590 Bollinger Mill Road

Address

Phone No.

Finksburg,

MD

21048

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Deborah C. Dopkin, Esquire

Rosolio, Silverman & Kotz, P.A.

502 Washington Avenue, Suite 220

Towson, MD 21204

(410) 339-7100

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following date _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: *JMA* DATE *6-13-95*

456.

ORDER RECEIVED FOR FILING

Date

By





Petition for Special Exception

95-462-SRHX

to the Zoning Commissioner of Baltimore County

for the property located at 6410 Windsor Mill Road

which is presently zoned BLCNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a service garage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

N/A

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s).

Bruce E. Crockett

(Type or Print Name)

Signature

Christine M. Crockett

(Type or Print Name)

Signature

2590 Bollinger Mill Road

Address

Phone No

Finksburg

MD

21048

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Deborah C. Dopkin, Esquire

Resolio, Silverman & Kotz, P.A.

502 Washington Ave., Suite 220

Towson, MD 21204

339-7100

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE: _____

Attorney for Petitioner:

Deborah C. Dopkin

(Type or Print Name)

Signature

Resolio, Silverman & Kotz, P.A.
502 Washington Ave., Suite 220

Address

Phone No

Towson

MD

21204

City

State

Zipcode

ORDER RECORDED FOR FILING

DATE 8/17/95 BY [Signature]



#456



MAISTE & WATTS, INC.

SURVEYORS / ENGINEERS

2923 Chenoak Ave. Baltimore, Md. 21234

Phone (410) 882-0321 Fax (410) 661-8752

June 12, 1995

**Description of #6410 Windsor Mill Road
To Accompany Petition for Special Exception
2-nd Election District, Baltimore County, Maryland**

Beginning for the same on the Northeast side of Windsor Mill Road, 60 feet wide, at a point distant 202.80 feet, measured along the Northeast side of Windsor Mill Road from its intersection with the centerline of Gwynn Oak Avenue, thence leaving said place of beginning and running and binding on the Northeast side of said Windsor Mill Road,

1) North 46 degrees 51 minutes 00 seconds West 50.36 feet to the division line between lots No.5 and 6 as shown on the Plat of Property of Harry C. Gartside, recorded among the land records of Baltimore County in Plat Book W.P.C. 5 Folio 60, thence leaving Windsor Mill Road and running and binding on the division line between said lots 5 and 6,

2) North 50 degrees 03 minutes 00 seconds East 128.72 feet, thence running and binding on the division line between lots no.6 and 7 as shown on said plat of Property of Henry C. Gartside,

3) South 39 degrees 57 minutes 00 seconds East 50.00 feet, thence

4) South 50 degrees 03 minutes 00 seconds West 122.67 feet to the **place of beginning.**

Containing 6,284 square feet or 0.144 acres of land, more or less.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-462-SPHX

District 2nd

Date of Posting 6/30/95

Posted for: Special Hearing & Special Exception

Petitioner: Bruce & Christine Crockett

Location of property: 6410 Windsor Mill Rd, N/S

Location of Signs: Facing road way on property being zoned

MICROFILMED

Remarks:

Posted by Matthew
Signature

Date of return: 7/7/95

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-462-SPHX
(Item 456)
6410 Windsor Mill Road,
N/S Windsor Mill Road,
NWC Windsor Mill and
Gwynn Oak Avenues

2nd Election District
2nd Councilmanic
Legal Owner(s):

Bruce E. Crockett and
Christine M. Crockett
Hearing: Wednesday,
July 19, 1995 at 2:00
p.m. in Rm. 106, County Of-
fice Building.

Special Hearing to approve
a modification to case
#94-225-SPHX. Special Ex-
ception to add adjoining
property located at 6410
Windsor Mill Road to the
previously approved special
exception for service garage
use.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.
6/362 June 29.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

6/29, 1995

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 6/29, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

~~Publication~~

MICROFILMED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-462-SHAX

Account: R-001-6150

Number

456.

SILA

Date

6-13

040	SPECIAL HEADQUARTERS (C)	250
050	SPECIAL TRAFFIC (C)	300
080	2 SIGNS	70

TOTAL

620

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BALTIMORE COUNTY
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\$420.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
June 29, 1995 Issue - Jeffersonian

Please forward billing to:

Deborah C. Dopkin, Esq.
Rosolio, Silverman & Kotz, P.A.
502 Washington Avenue #220
Towson, MD 21204
339-7100

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-462-SPHX (Item 456)
6410 Windsor Mill Road
N/S Windsor Mill Road, NWC Windsor Mill and Gwynn Oak Avenues
2nd Election District - 2nd Councilmanic
Legal Owner(s): Bruce E. Crockett and Christine M. Crockett
HEARING: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to approve a modification to case #94-225-SPHX.
Special Exception to add adjoining property located at 6410 Windsor Mill Road to the previously approved special exception for service garage use.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 22, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-462-SPHX (Item 456)

6410 Windsor Mill Road

N/S Windsor Mill Road, NWC Windsor Mill and Gwynn Oak Avenues

2nd Election District - 2nd Councilmanic

Legal Owner(s): Brue E. Crockett and Christine M. Crockett

HEARING: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to approve a modification to case #94-225-SPHX.

Special Exception to add adjoining property located at 6410 Windsor Mill Road to the previously approved special exception for service garage use.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon

Director

Department of Permits and Development Management

cc: Bruce and Christine Crockett
Deborah C. Dopkin, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 13, 1995

Deborah C. Dopkin, Esquire
502 Washington Ave.
Towson, Maryland 21204

RE: Item No.: 456
Case No.: 95-462-SPHX
Petitioner: Mr. and Mrs. Crockett

Dear Ms. Dopkin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 13, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the word "Sincerely,".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: July 6, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 6410 Windsor Mill Road

INFORMATION:

Item Number: 456

Petitioner: Crockett Property

Property Size: _____

Zoning: BL-AS

Requested Action: Special Hearing

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

The applicant requests a modification to Case No. 94-225SPHX in order to include an adjacent property in the area of the existing special exception.

Based upon the information provided an analysis conducted, staff recommends that the petitioner's request be granted subject to the following condition:

Prior to the issuance of building permits, the applicant should submit architectural elevation drawings for review and approval by the Director of the Office of Planning.

Prepared by: _____

Jeffrey M. Long

Division Chief: _____

Gary L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: July 7, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for July 3, 1995
Item No. 456

The Development Plans Review Division has reviewed the subject zoning item. This proposal is subject to conformance with the Landscape Manual.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/03/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BRUCE E. CROCKETT & CHRISTINE M. CROCKETT

LOCATION: N/S WINDSOR MILL RD., NWC WINDSOR MILL AND GWYNN OAK AVE.
(6410 WINDSOR MILL RD.)

Item No.: 456

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
JUL 8 1995

MICROFILMED

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 6/24/95

DATE: 6/30/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

450
451
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LS:sp

LETTY2/DEPRM/TXTS8P

MICROFILMED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

6-23-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

Item No.: 456 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

PETITION PROBLEMS

AGENDA OF JUNE 26, 1995

#451 --- MJK

1. No legal owner listed on petition form.
2. No address or telephone number for protestants.
3. Zoning listed on petition form does not agree with zoning on front of folder (D.R.-5.5 on petition form; D.R.-5.5, D.R.-10.5, D.R.-16, O-2 listed on folder).

#452 --- JLL

1. Petitioner's copy of receipt is still in folder.

#454 --- RT

1. No special hearing fee charged to amend the FDP.
2. Need attorney.

#455 --- MJK

1. No telephone number for legal owner.

#456 --- JRA

1. No telephone number for legal owner.
2. No councilmanic district on folder.

#457 --- MJK

1. No telephone number for legal owner.

#459 --- MJK

1. Need title of persons signing for legal owner.
2. No telephone number or address for representative to be contacted.

#461 --- JLL

1. No review information on bottom of petition forms.
2. No practical difficulty or hardship listed on variance petition.

#465 --- CAM

1. No review information on bottom of petition form.
2. No item number on petition form.
3. No legal owner signature, typed name, address, or telephone number.
4. No name or telephone number of representative to be contacted.

#466 --- MJK

1. No telephone number for legal owner.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION		
6410 Windsor Mill Road, N/S Windsor Mill	*	ZONING COMMISSIONER
Road, NWC Windsor Mill and Gwynn Oak Aves.		
2nd Election District, 2nd Councilmanic	*	OF BALTIMORE COUNTY
Bruce E. and Christine M. Crockett	*	CASE NO. 95-462-SPHX
Petitioner		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 1995, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esquire, Rosolio, Silverman & Kotz, P.A., 502 Washington Avenue, Suite 220, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

JAN 8 1994

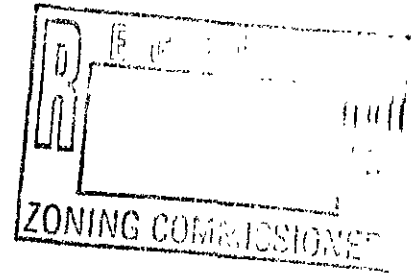
LAW OFFICES
ROSOLIO, SILVERMAN & KOTZ, P.A.
SUITE 220, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4513

TELEPHONE 410-339-7100
FAX NO. 410-339-7107

DEBORAH C. DOPKIN

January 21, 1994

Timothy M. Kotroco
Deputy Zoning Commissioner
Suite 113 Courthouse
400 Washington Avenue
Towson, Maryland 21204



RE: Case Number 94-225-SPHX

Dear Mr. Kotroco:

Pursuant to our conversation of Friday, January 21, 1994, and in response to the Findings of Fact and Conclusions of Law issued by you on January 12, 1994 in regard to the above captioned case, I would appreciate clarification in the following regard. I draw your attention to the second and third full paragraphs on page 6, which I believe are intended to permit the requested special exception for a service garage, including a paint and body shop, on all of the various properties that were the subject of the Petitions filed in this matter.

Therefore, by way of clarification only, please confirm that your Order, dated January 12, 1994, includes all those properties shown on the plat submitted with the Petition, and known as 6400-6402 Windsor Mill Road, the rear of 2104 and 2106 Gwynn Oak Avenue, and the entire property known as 2110 Gwynn Oak Avenue. These properties form a contiguous, irregularly L-shaped parcel, all as more clearly shown on the plat.

If this is a correct interpretation of the Order, I would appreciate your so noting on the attached copy of this letter, and returning a copy to me for my client's records. I would further ask that you include a copy of your confirmation in the zoning file attached to the zoning order so as to avoid any confusion in the future.

MICROFILMED

LAW OFFICES
ROSOLIO, SILVERMAN & KOTZ, P.A.

Mr. Timothy M. Kotroco
January 21, 1994
Page 2

I appreciate your attention to this matter.

Very truly yours,


ROSOLIO, SILVERMAN & KOTZ, P.A.


Deborah C. Dopkin

DCD/lab

Mr. Bruce Crockett

Read and confirmed this 25th day of January, 1994.

By: 
Timothy M. Kotroco
Deputy Zoning Commissioner

IN RE:	PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
	AND SPECIAL EXCEPTION - NE/S	*	
	Windsor Mill Road, 127' NW of	*	DEPUTY ZONING COMMISSIONER
	Gwynn Oak Ave. (6400-02 Windsor	*	
	Mill Rd.); NW/S Gwynn Oak Ave.,	*	OF BALTIMORE COUNTY
	183' NE of Windsor Mill Rd.	*	
	(2110 Gwynn Oak Ave.); and,	*	Case No. 94-225-SPHX
	111.97' NE of Gwynn Oak Ave.	*	
	(Rear of 2104 Gwynn Oak Ave.)	*	
	2nd Election District	*	
	2nd Councilmanic District	*	
	Norbert J. Richardson, et ux	*	
	Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception for the subject properties, known as 6400-6402 Windsor Mill Road, 2110 Gwynn Oak Avenue, and the Rear of 2104 Gwynn Oak Avenue. The Petitions were filed by the owners of the subject properties, Norbert J. and Honor E. Richardson, and the Contract Purchaser, Bruce E. Crockett. The Petitioners request a special hearing to approve the continuation of an existing service garage use, including a paint and body shop, on the property known as 6400-6402 Windsor Mill Road, as a valid, nonconforming use. The Petitioners also seek a modification to Case No. 3980-X to permit the use of the rear of 2104 Gwynn Oak Avenue for a paint and body shop, and a modification to Case No. 78-128-X to include the entire property known as 2110 Gwynn Oak Avenue as part of the service garage operation, and to permit a paint and body shop use thereon. In addition, the Petitioners seek a special exception to continue the existing service garage use, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). The relief requested is more particularly described on the Plat to Accompany the Petitions filed, identified herein as Petitioner's Exhibit 1.

Noted 10/22/94

Appearing on behalf of the Petitions were Norbert and Honor Richardson, legal owners of the properties, Bruce Crockett, Contract Purchaser, and Juri Maiste, Professional Land Surveyor. The Petitioners were represented by Deborah C. Dopkin, Esquire. Also appearing in support of the Petitions were William Obrecht, President of the Woodlawn Village Business and Professional Association, and David Green, who appeared on behalf of the Office of Planning and Zoning. There were no Protestants present.

At the outset of the hearing, I discussed with Ms. Deborah Dopkin, attorney for the Petitioners, the necessity for requesting a special hearing to approve a nonconforming use of the subject property as a service garage when a special exception for a service garage was being requested. It was determined that it was not necessary for both a special hearing and a special exception to be requested, assuming that I would grant the special exception. Therefore, that portion of the special hearing requesting approval of the existing service garage use, including a paint and body shop, as a nonconforming use was determined to be unnecessary and as such, shall be dismissed. Furthermore, inasmuch as portions of the subject property have been the subject of prior zoning hearings, the requested special hearing to modify those hearings is necessary and shall be ruled upon pursuant to this Order.

Testimony indicated that the subject properties, known as 6400-02 Windsor Mill Road, 2110 Gwynn Oak Avenue and the rear of 2104 Gwynn Oak Avenue, consists of a combined area of 0.835 acres, more or less, zoned B.L.-C.N.S. and is improved with an "L"-shaped masonry shop and office building fronting Windsor Mill Road, and a one-story frame garage fronting Gwynn Oak Avenue with accessory parking as shown on Petitioner's Exhibit 1. Mr. Norbert Richardson testified that the property has been owned by his

family since 1928 when his father built the existing garage at 2110 Gwynn Oak Avenue. Testimony indicated that the property consists of four (4) contiguous parcels of land that were acquired on separate occasions over the years by the Richardson family as it became available. The property the Richardsons currently own is more particularly described on Petitioner's Exhibit 1.

Mr. Juri Maiste testified on behalf of the Petitioners. He testified that the relief requested meets the requirements for a service garage use, in accordance with Section 230.13 of the B.C.Z.R., as well as the special exception requirements set forth in Section 502.1.

Also testifying on behalf of the Petitions was Mr. Bruce Crockett, the Contract Purchaser. Mr. Crockett has been in the body and fender repair business for the past 18 years and is desirous of relocating his operation to the subject site. He testified that this will be the fourth time he has relocated his business but that this is the first time he has had an opportunity to own the property. Mr. Crockett is looking forward to moving his business to this location. Further testimony revealed that Mr. Crockett's body and fender repair shop will be a clean and neat operation and will be an asset to the Woodlawn business community.

On behalf of the Woodlawn Village Business and Professional Association, Mr. William Obrecht testified that both he and his Association are in favor of granting the relief requested and that they look forward to Mr. Crockett relocating his business to this site. Mr. Obrecht further testified that he met with Mr. Crockett at the location of his present business and is satisfied that Mr. Crockett will operate a superior business from the subject site. This sentiment was also corroborated by Mr. David Green of the Office of Planning and Zoning, who testified that he

also met with Mr. Crockett at the site of his present business. It is to be noted that Mr. Green works in the Office of Planning and Zoning which has recommended approval of the relief requested.

Mr. Obrecht further testified that he, as President of the Woodlawn Village Business and Professional Association, entered into a restrictive covenant agreement with Mr. Crockett and presented a copy of same to this Hearing Officer for inclusion in the case file. It was agreed that a copy of this agreement would be recorded in the Land Records of Baltimore County, once title to the property transfers to Mr. Crockett. I informed Mr. Obrecht that I would also incorporate the terms and conditions of the restrictive covenant agreement in this Order so that it may be enforced through the Zoning Enforcement Division of the Zoning Administration and Development Management office.

Mr. Crockett was also advised at the hearing that certain restrictions would be imposed upon his business operation to insure that he and any potential owner/tenant of the subject property would always operate the business in a neat and orderly fashion. The restrictions that will be imposed at the end of this Order were explained to Mr. Crockett and he agreed to abide by them.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the requested modifications in the Petition for Special Hearing were not granted. In the opinion of this Deputy Zoning Commissioner, a modification of Case Nos. 3980-X and 78-128-X to include the property at 2110 Gwynn Oak Avenue and the rear of the property at 2104 Gwynn Oak Avenue as part of the service garage operation meets the spirit and intent of the zoning regulations. It has been established that the requirements

from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

As to the Petition for Special Exception, it is clear that the B.C.Z.R. permits a service garage use in the B.L.-C.N.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. However, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 12th day of January, 1994 that the Petition for Special Hearing to approve a modification to Case No. 3980-X to permit the use of the rear of 2104 Gwynn Oak Avenue for a paint and body shop, and a modification to Case No. 78-128-X to include the entire property known as 2110 Gwynn Oak Avenue as part of the service garage operation, including a paint and body shop, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the continuation of an existing service garage use, including a paint and body shop, on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

- 2) The restrictive covenant agreement entered into between Mr. Bruce Crockett, the Contract Purchaser, and Mr. William Obrecht, President of the Woodlawn Village Business and Professional Association, dated January 5, 1994, a copy of which has been attached hereto and marked as Petitioner's Exhibit A, shall be incorporated herein and be enforceable as if part of this Order. The Petitioner shall have a copy of this restrictive covenant agreement recorded in the Land Records of Baltimore County within thirty (30) days of the date that title to the subject property is transferred to Mr. Crockett. This restrictive covenant

agreement shall be binding upon any future heir, transferee, or purchaser of the subject property.

3) There shall be no parking of any automobiles associated with any business operating from the subject site on Windsor Mill Road or Gwynn Oak Avenue. Any automobiles belonging to any customer or employees associated with the subject business shall be parked on-site and not on any public street.

4) There shall be no outside storage of automotive parts on the subject property, except for that which will be immediately used in the repair of a particular automobile. All other unused automobile parts shall be removed within 24-hours of their arrival.

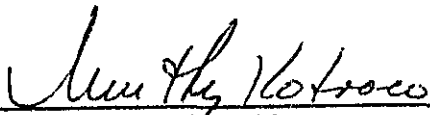
5) A landscape plan designed to enhance the streetscape on Windsor Mill Road and Gwynn Oak Avenue shall be submitted to the Baltimore County Landscape Architect for review and approval within thirty (30) days of the date of this Order.

6) All proposed signage on the property shall be approved by the Deputy Director of the Office of Planning and Zoning prior to the issuance of any sign permits.

7) The Petitioner shall submit a revised site plan to this Hearing Officer depicting the damaged and disabled vehicle storage area on the property. Said plan should show the stacking and location of these vehicles on the subject site. In addition, the storage area shall be properly screened from view of either Gwynn Oak Avenue or Windsor Mill Road.

8) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the continuation of an existing service garage use, including a paint and body shop, on the property known as 6400-6402 Windsor Mill Road, as a valid, nonconforming use, be and is hereby DISMISSED AS MOOT.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

PET. EXHIBIT 11

Restrictive Covenant Agreement

This RESTRICTIVE COVENANT AGREEMENT (this agreement) is made this 5 day of January, 1994 by Bruce Crockett of Crockett & Sons Auto Body, Inc. (Crockett) and the Woodlawn Village Business and Professional Association (WVBPA) of Baltimore County, Md.

RECITALS

A. Crockett is purchasing a parcel of land from the Richardson family located at 6400/6404 Windsor Mill Rd. and 2110 Gwynn Oak Ave. - a L-shaped property with footage on Windsor Mill Road and Gwynn Oak Ave.

B. Crockett has applied for a special exception for the property so he can operate a auto body and fender shop on the site.

C. WVBPA has agreed to support Crockett's request for a special exception, provided that Crockett enter into this covenant.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Crockett will operate the auto body and fender with the following restrictions:

No junked cars will be stored on the premises. Only cars in the process of repairing or restoration will be permitted on the property.

No damaged cars can be left in front of the property more than 24 hours.

No repairs can be made on cars parked in front of the property except for minor repairs which can be done in a short time.

2. In consideration of Crockett's agreement set forth in paragraph 1 above, the WVBPA agrees to support the special exception requested by Crockett.

3. The WVBPA shall have the right to enforce the covenant and agreements contained herein by instituting a lawsuit to enjoin any breach or enforce any covenant, including but not limited to seeking an injunction. If Crockett is found to have breached any of their obligations under this covenant, Crockett shall reimburse WVBPA for any costs or expenses incurred by WVBPA, including court costs and reasonable attorney's fees.

However, it is understood that Crockett and WVBPA will first attempt to resolve any differences that may arise from this covenant by discussion at a regular meeting of the WVBPA.

4. This Covenant will be recorded by Crockett, at Crockett's expense, immediately upon approval of the request for special exception.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, as of the day and year first above written.

WITNESS:

Betty Armstrong

Betty Armstrong

Bruce Crockett (Seal)
Bruce Crockett, President
Crockett & Sons Auto Body, Inc.

William Obriecht (Seal)
William Obriecht, President
Woodlawn Village Business
and Professional Assn.

^{city}
STATE OF MARYLAND, ~~COUNTY~~ COUNTY OF BALTIMORE, to wit:

I HERE CERTIFY that on this 5th day of January, 1994, before me, the undersigned authority, in and for the state and County aforesaid, personally appeared Bruce Crockett, who acknowledged himself to be the President of Crockett & Sons Auto Body, Inc., a Maryland Corporation, and that he, as the duly authorized officer of said corporation, executed the foregoing instrument, for the purposes therein contained, by signing the name of said corporation by himself as such officer.

WITNESS my hand and Notarial Seal.

W. Greenfield
Notary Public
My commission Expires: 12-1-96

^{city}
STATE OF MARYLAND, ~~COUNTY~~ COUNTY OF BALTIMORE, to wit:

I HERE CERTIFY that on this 5th day of January, 1994, before me, the undersigned authority, in and for the state and County aforesaid, personally appeared William Obriecht, who acknowledged himself to be the President of Woodlawn Village Business and Professional Assn., and that he, as the duly authorized officer of said association, executed the foregoing instrument, for the purposes therein contained, by signing the name of said association by himself as such officer.

WITNESS my hand and Notarial Seal.

W. Greenfield
Notary Public
My commission Expires: 12-1-96

Woodlawn Village Business and Professional Assn.
2137 Gwynn Oak Avenue
Baltimore, Md. 21207

President - William Obrieht
Vice-President - Audrey Simmons
Treasurer - Jim Waddy

May 17, 1995

Mr. Arnold Jablon, Director
Baltimore County Government
Office of Zoning Administration and
Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

The Woodlawn Village Business and Professional Assn. has no objection to the plans of Bruce E. Crockett to renovate 6410 Windsor Mill Road and incorporate it into the Crockett & Sons, Inc. t/a Security Auto Body facility to enhance the Woodlawn Village community.

In accordance with prior agreements, the body shop will continue to operate with the following restrictions.

1. No junked cars will be stored on the premises. Only cars in the process of repairing or restoration will be permitted on the property.
2. No damaged cars can be left in front of the property for more than 24 hours.
3. No repairs can be made on cars parked in front of the property except for minor repairs which can be done in a short time.

Sincerely,


William Obrieht, President

File

LAW OFFICES

ROSOLIO, SILVERMAN & KOTZ, P. A.

SUITE 220, NOTTINGHAM CENTRE

502 WASHINGTON AVENUE

TOWSON, MARYLAND 21204-4513

TELEPHONE 410-339-7100

FAX NO. 410-339-7107

DEBORAH C DOPKIN

November 3, 1995

Baltimore County
Office of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Gwen Stephens

RE: Case No. 95-462-SPHX

Dear Ms. Stephens:

This firm represents Bruce E. and Christine Crockett in connection with the above captioned case. Deputy Zoning Commissioner Kotrocco issued an Order dated August 7, 1995 approving the request. A condition of his Order required that a revised site plan be submitted incorporating the modified relief granted in the Order.

Please find enclosed two copies of the modified site plan as required by the Deputy Zoning Commissioner's Order. Please include these site plans in the file of this case so they will become a part of the record.

Thank you for your attention to this matter.

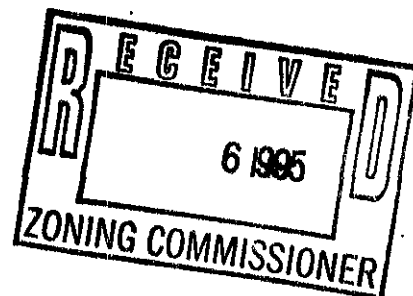
Very truly yours,

Deborah C. Dopkin

DCD/kmc

Enclosure

cc: Timothy Kotrocco, Deputy Zoning Commissioner
Mr. and Mrs. Bruce E. Crockett



MICROFILMED

PLEASE PRINT CLEARLY

BALTIMORE COUNTY REPRESENTATIVES
SIGN-IN SHEET

NAME

ADDRESS

Elsie Collison

Marjorie McCullough

6442 Windsor Mill Rd.
2442 Windsor Mill Rd. Baltimore, Md 21207-6005



MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

CHRISTINE M. CROCKETT

2540 POLLINGER MILL RD, FINKSBURG, MD

DEBORAH DOPKIN

502 WENNINGTON AVE W1204

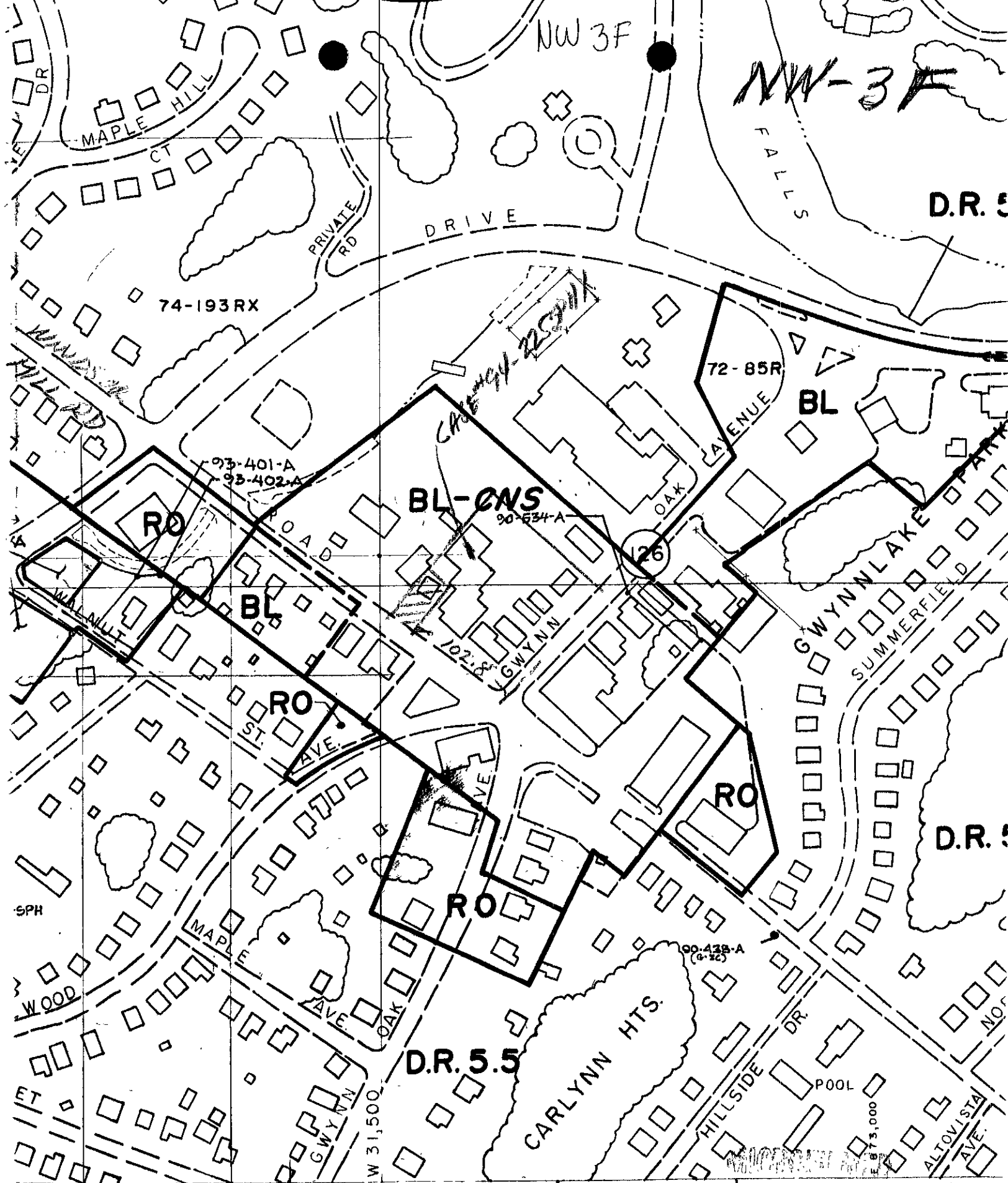
JUDI MAISE

2923 CHESTER AVE BALTO 21234



Printed with Soybean Ink
on Recycled Paper

10/20/2001



1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

SCALE

1" = 200' ±

LOCATION

456.

PETITIONER'S EXHIBITS



PETITIONER'S
EXHIBIT NO. 2A



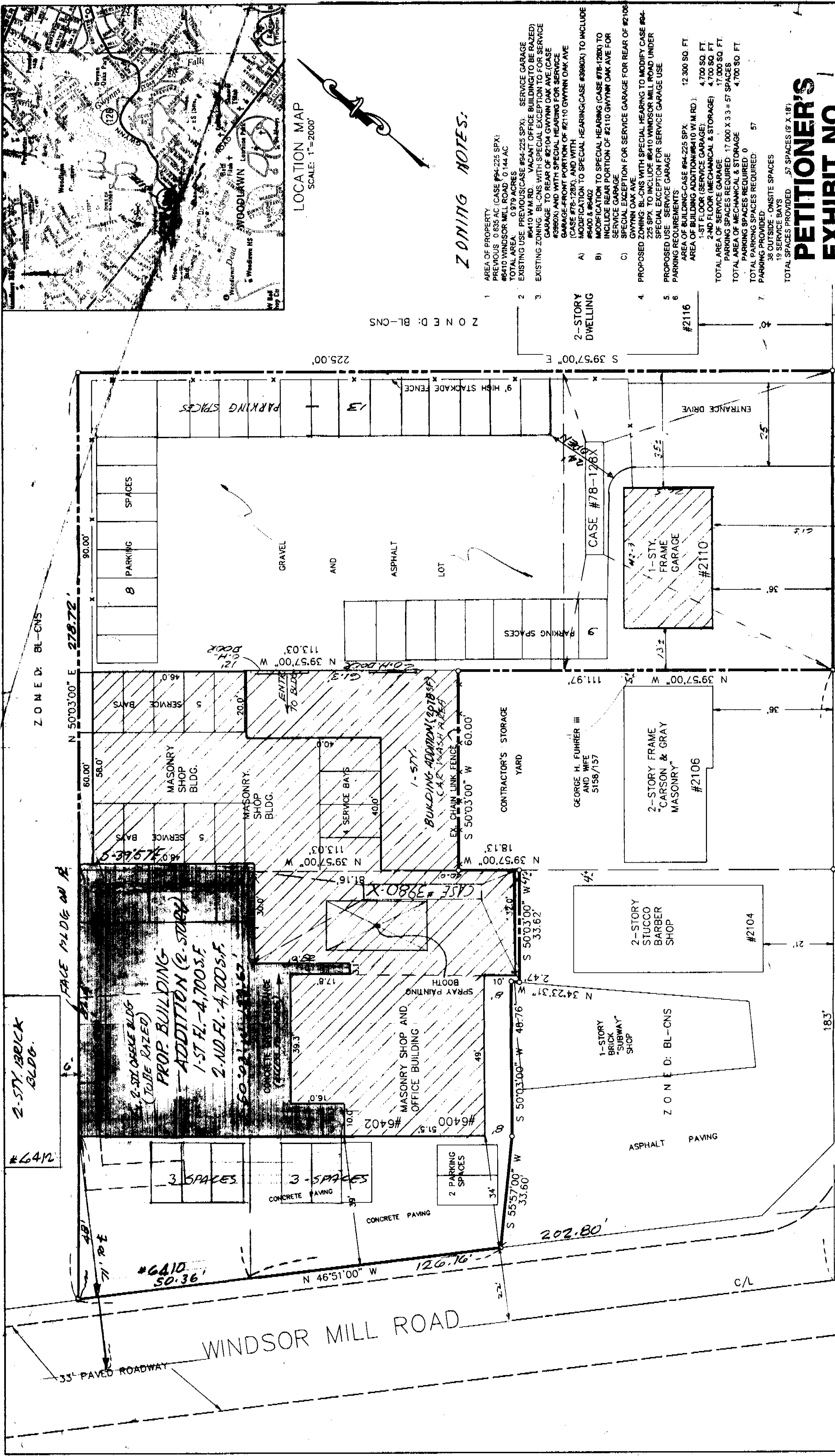
2B



2C



2D



PETITIONER'S EXHIBIT NO. 1

95-462-SPHX

MICROFILMED

PLAT TO ACCOMPANY PETITION FOR MODIFICATION TO CASE NO. 94-225SPHX TO INCLUDE #6410 WINDSOR MILL ROAD TO PREVIOUSLY APPROVED SPECIAL EXCEPTION FOR SERVICE GARAGE USE

2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

PETITIONERS:

BRUCE E. AND CHRISTINE M. CROCKETT
2590 BOLLINGER MILL ROAD
FINKSBURG, MD. 21048
PHONE (410) 944-7800

TITLE DEEDS ACQUIRED BY NORBERT J. RICHARDSON, SR.

PARCEL	REF. OF DEED	DATE
#2110 GWYNN OAK AVE.	5399-581	SEPT. 1973
DEAR #2100 GWYNN OAK AVE.	4873-500 (2ND MR)	MAY, 1969
DEAR #2104 GWYNN OAK AVE.	4873-500 (1ST MR)	MAY, 1969
#6400 & 6402 WINDSOR MILL RD.	2775-124	AUG. 1933
	4101-459	JAN. 1963
	4402-337	MAY 1964

#610 WINDSOR MILL ROAD ACQUIRED FROM LEO G. CRISMER, SR. JUNE 2, 1968



CASE # 94-225 SPX

MAISTE & WATTS, INC.
SURVEYORS AND ENGINEERS
2923 CHENOA AVE. BALTIMORE, MD. 21234
PHONE (410) 882-0321

REVISED: 5-23-95 BY 3-2-95
UPDATED FOR BLDG. ADDITION: 3-1-95
REV. 10-10-94 BY BUILDING DEPT.

DATE: NOV. 30, 1993
SCALE: 1"=20'
PROJ. NO. 93-184

ZONING NOTES:

1. AREA OF PROPERTY: PREVIOUS 0.835 AC (CASE #94-225 SPX); #6410 WINDSOR MILL ROAD 0.144 AC
2. TOTAL AREA: 0.979 ACRES
3. EXISTING USE: PREVIOUS CASE #94-225 SPX. SERVICE GARAGE #6410 WINDSOR MILL ROAD. VACANT OFFICE BUILDING TO BE RAZED
4. EXISTING ZONING: BL-CNS WITH SPECIAL EXCEPTION TO FOR SERVICE GARAGE TO REAR OF #2110 GWYNN OAK AVE
5. PROPOSED ZONING: BL-CNS WITH SPECIAL HEARING TO INCLUDE #6410 WINDSOR MILL ROAD UNDER SPECIAL EXCEPTION FOR SERVICE GARAGE USE
6. PROPOSED USE: SERVICE GARAGE
7. PARKING REQUIREMENTS: AREA OF BUILDING ADDITION #6410 WINDSOR MILL ROAD 12,300 SQ. FT. 1ST FLOOR (SERVICE GARAGE) 4,700 SQ. FT. 2ND FLOOR (MECHANICAL & STORAGE) 4,700 SQ. FT. TOTAL AREA OF SERVICE GARAGE 17,000 X 33 = 57 SPACES TOTAL PARKING SPACES REQUIRED 0 TOTAL PARKING SPACES PROVIDED 57
8. TOTAL SPACES PROVIDED: 57 SPACES (9' X 18')
9. SERVICE BAYS: 19
10. TOTAL SPACES PROVIDED: 57 SPACES (9' X 18')

LOCATION MAP

SCALE: 1"=200'

Z O N E D: BL-CNS

Z O N E D: BL-CNS

IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION - NE/S Windsor Mill Road, 220' NE of its intersection w/Gwynn Oak Avenue (6410 Windsor Mill Road) 2nd Election District 2nd Councilmanic District * BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 95-462-SPHX

Bruce E. Crockett, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception for that property known as 6410 Windsor Mill Road, located in the vicinity of Gwynn Oak Avenue in Woodlawn. The Petitions were filed by the owners of the property, Bruce E. and Christine M. Crockett, through their attorney, Deborah C. Dopkin, Esquire. The Petitioners seek a special hearing to approve a modification to the previously approved special exception in Case No. 94-225-SPHX to permit the addition of adjoining property to expand the existing service garage use, and a special exception to permit the use of the subject site as a service garage. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Christine Crockett, property owner, Juri Maiste, Registered Professional Land Surveyor, and Deborah Dopkin, Esquire, attorney for the Petitioners. Appearing as interested persons were Elsie Collison and Marjorie McCullough.

Testimony and evidence offered revealed that the subject property consists of 0.979 acres, more or less, zoned B.L.-C.N.S., and is improved with a two-story office building which is presently vacant. The property is located immediately adjacent to 6400-6402 Windsor Mill Road and abuts

2110 Gwynn Oak Avenue, which were the subject of prior Case No. 94-225-SPHX. In that case, the Petitioners, who were then the Contract Purchasers of 6400-6402 Windsor Mill Road, were granted a special hearing and special exception to include the use of the rear of 2104 Gwynn Oak Avenue for a paint and body shop, and the property at 2110 Gwynn Oak Avenue as part of their service garage operation, known as Security Auto Body, which is located at 6400-6402 Windsor Mill Road. The Petitioners purchased the subject property in April of this year in the hope of expanding their business. The Petitioners propose to raze the existing two-story office building and construct a two-story addition to the masonry shop and office buildings at 6400-6402 Windsor Mill Road. Testimony indicated that the the Petitioners have been extremely good neighbors and have operated a successful business from this location.

On behalf of the Petitioners' request, Mr. William Obrecht, President of the Woodlawn Village Business and Professional Association, offered a letter of support. However, Mr. Obrecht asked that the conditions and restrictions imposed in the previous Order be applied in this case to insure the continued success of this operation.

Appearing as interested parties were Elsie Collison and Marjorie McCullough, who reside on the adjacent property known as 6412 Windsor Mill Road. Ms. Collison and Ms. McCullough attended the hearing to obtain information as to what exactly the Petitioners were proposing for the subject property. After hearing the testimony and evidence presented, Ms. Collison and Ms. McCullough were satisfied that the special hearing and special exception requested herein would not be detrimental to their quiet enjoyment of their property.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-

C.N.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special hearing and special exception should be granted with certain restrictions as more fully described below. However, I believe the proposed two-story addition should be altered to maintain the same common wall as the existing building. This, in essence, would require the Petitioners to amend the site plan submitted into evidence as Petitioner's Exhibit 1 to decrease the width of the proposed addition some 4 to 5 feet. This would allow the proposed addition to be in conformance with existing

improvements on the adjacent properties.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing and special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of August, 1995 that the Petition for Special Hearing to approve a modification to the previously approved special exception in Case No. 94-225-SPHX to permit the addition of adjoining property to expand the existing service garage use, and a special exception to permit the use of the subject site as a service garage, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioners shall submit a revised site plan incorporating the modified relief granted herein.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued January 12, 1994, excluding Restriction Nos. 5 and 7, shall remain in full force and effect.

IT IS FURTHER ORDERED that the Petitioners shall have five (5) years from the date of this Order in which to utilize the special exception granted herein.

TMK:bjs

TIMOTHY M. KOTROCK
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/7/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 8/7/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 8/7/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 8/7/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

August 7, 1995

(410) 887-4386

Deborah C. Dopkin, Esquire
Rosolio, Silverman & Kotz
502 Washington Avenue, Suite 220
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION
NE/S Windsor Mill Road, 220' NE of its intersection w/Gwynn Oak Avenue
(6410 Windsor Mill Road)
2nd Election District - 2nd Councilmanic District
Bruce E. Crockett, et ux - Petitioners
Case No. 95-462-SPHX

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCK
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Bruce E. Crockett
2590 Bollinger Mill Road, Finksburg, MD 21048

Mr. Juri Maiste, Maiste & Watts, Inc.
2923 Chenoak Avenue, Baltimore, Md. 21234

People's Counsel

File



Petition for Special Hearing AND SPECIAL EXCEPTION to the Zoning Commissioner of Baltimore County for the property located at 6410 Windsor Mill Road which is presently zoned B.L.C.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a modification to Case No. 94-225-SPHX and for approved special exception for service garage use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
n/a
(Type or Print Name)
Signature
Address
City State Zip

Attorney for Petitioner:
Deborah C. Dopkin
(Type or Print Name)
Signature
Address
City State Zip

Deborah C. Dopkin, Esquire
Rosolio, Silverman & Kotz, P.A.
502 Washington Avenue, Suite 220
Towson, MD 21204
Phone No. (410) 339-7100
Office Use Only

Legal Counsel:
Bruce E. Crockett
(Type or Print Name)
Signature
Christine M. Crockett
(Type or Print Name)
Signature
2590 Bollinger Mill Road
Finksburg, MD 21048
City State Zip
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Deborah C. Dopkin, Esquire
Rosolio, Silverman & Kotz, P.A.
502 Washington Avenue, Suite 220
Towson, MD 21204
Phone No. (410) 339-7100
Office Use Only

ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following date: Next Two Months
ALL OTHER DATE 6-13-95
REVIEWED BY: [Signature] DATE 6-13-95

ORDER RECEIVED FOR FILING
Date 8/7/95
By [Signature]



Petition for Special Exception to the Zoning Commissioner of Baltimore County for the property located at 6410 Windsor Mill Road which is presently zoned B.L.C.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a SERVICE GARAGE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree, to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
N/A
(Type or Print Name)
Signature
Address
City State Zip

Attorney for Petitioner:
Deborah C. Dopkin
(Type or Print Name)
Signature
Address
City State Zip

Deborah C. Dopkin, Esquire
Rosolio, Silverman & Kotz, P.A.
502 Washington Ave., Suite 220
Towson, MD 21204
Phone No. (410) 339-7100
Office Use Only

Legal Counsel:
Bruce E. Crockett
(Type or Print Name)
Signature
Christine M. Crockett
(Type or Print Name)
Signature
2590 Bollinger Mill Road
Finksburg, MD 21048
City State Zip
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Deborah C. Dopkin, Esquire
Rosolio, Silverman & Kotz, P.A.
502 Washington Ave., Suite 220
Towson, MD 21204
Phone No. (410) 339-7100
Office Use Only

ESTIMATED LENGTH OF HEARING
unavailable for Hearing
the following date: Next Two Months
ALL OTHER DATE
REVIEWED BY: [Signature] DATE

ORDER RECEIVED FOR FILING
Date 8/7/95
By [Signature]

#456

MAISTE & WATTS, INC.



SURVEYORS / ENGINEERS

2923 Chenoak Ave. Baltimore, Md. 21234

Phone (410) 882-0321 Fax (410) 661-8752

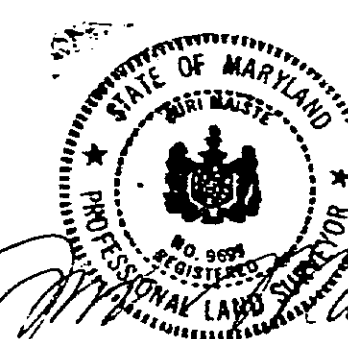
June 12, 1995

Description of #6410 Windsor Mill Road To Accompany Petition for Special Exception 2nd Election District, Baltimore County, Maryland

Beginning for the same on the Northeast side of Windsor Mill Road, 60 feet wide, at a point distant 202.80 feet, measured along the Northeast side of Windsor Mill Road from its intersection with the centerline of Gwynn Oak Avenue, thence leaving said place of beginning and running and binding on the Northeast side of said Windsor Mill Road,

- 1) North 46 degrees 51 minutes 00 seconds West 50.36 feet to the division line between lots No. 5 and 6 as shown on the Plat of Property of Harry C. Gartside, recorded among the land records of Baltimore County in Plat Book W.P.C. 5 Folio 60, thence leaving Windsor Mill Road and running and binding on the division line between said lots 5 and 6,
- 2) North 50 degrees 03 minutes 00 seconds East 128.72 feet, thence running and binding on the division line between lots no. 6 and 7 as shown on said plat of Property of Henry C. Gartside,
- 3) South 39 degrees 57 minutes 00 seconds East 50.00 feet, thence
- 4) South 50 degrees 03 minutes 00 seconds West 122.67 feet to the place of beginning.

Containing 6,294 square feet or 0.144 acres of land, more or less.



456

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: East Date of Posting: 6/30/95
Posted for: Special Hearing 1995-462-SPHX
Petitioner: Bruce & Christine Crockett
Location of property: 6410 Windsor Mill Rd., N/A
Location of Sign: Property, Tuesday, on property, but not on road
Remarks: _____
Posted by: Signature Date of return: 7/7/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 6/29/95
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/29/95.

THE JEFFERSONIAN.

A. Henrickson
LEGAL AD. TOWSON

NOTICE OF HEARING

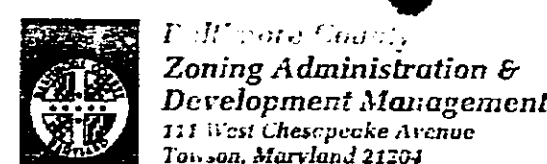
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #95-462-SPHX (Item 456)
6410 Windsor Mill Road, NWC Windsor Mill and Gwynn Oak Avenues
2nd Election District - 2nd Councilmanic
Legal Owner(s): Bruce E. Crockett and Christine M. Crockett
HEARING: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to approve a modification to case #94-225-SPHX, Special Exception to add adjoining property located at 6410 Windsor Mill Road to the previously approved special exception for service garage use.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible. For special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
5/30/95 June 29



Date: 6-13

040 SPECIAL HEARING 250
030 SPECIAL HEARING 300
050 2 SIGNS 70

TOTAL 620

Account: R-001-6150

Number: 456

SILA

receipt
95-462-SPHX

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: FUTURE PUBLISHING COMPANY
June 29, 1995 Issue - Jeffersonian

Please forward billing to:

Deborah C. Dopkin, Esq.
Rosolio, Silverman & Kutz, P.A.
502 Washington Avenue #220
Towson, MD 21204
339-7100

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-462-SPHX (Item 456)
6410 Windsor Mill Road
NWC Windsor Mill and Gwynn Oak Avenues
2nd Election District - 2nd Councilmanic
Legal Owner(s): Bruce E. Crockett and Christine M. Crockett
HEARING: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to approve a modification to case #94-225-SPHX.
Special Exception to add adjoining property located at 6410 Windsor Mill Road to the previously approved special exception for service garage use.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

June 22, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-462-SPHX (Item 456)
6410 Windsor Mill Road
NWC Windsor Mill and Gwynn Oak Avenues
2nd Election District - 2nd Councilmanic
Legal Owner(s): Bruce E. Crockett and Christine M. Crockett
HEARING: WEDNESDAY, JULY 19, 1995 at 2:00 p.m. in Room 106, County Office Building.

Special Hearing to approve a modification to case #94-225-SPHX.
Special Exception to add adjoining property located at 6410 Windsor Mill Road to the previously approved special exception for service garage use.

Bel Jan

Arnold Jablon
Director
Department of Permits and Development Management

cc: Bruce and Christine Crockett
Deborah C. Dopkin, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 13, 1995

Deborah C. Dopkin, Esquire
502 Washington Ave.
Towson, Maryland 21204

RE: Item No.: 456
Case No.: 95-462-SPHX
Petitioner: Mr. and Mrs. Crockett

Dear Ms. Dopkin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 13, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: July 6, 1995
FROM: Pat Keller, Director, OPZ
SUBJECT: 6410 Windsor Mill Road

INFORMATION:
Item Number: 456
Petitioner: Crockett Property
Property Size: _____
Zoning: BL-AS
Requested Action: Special Hearing
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a modification to Case No. 94-225-SPHX in order to include an adjacent property in the area of the existing special exception.

Based upon the information provided an analysis conducted, staff recommends that the petitioner's request be granted subject to the following condition:

Prior to the issuance of building permits, the applicant should submit architectural elevation drawings for review and approval by the Director of the Office of Planning.

Prepared by: Jeffrey M. Long

Division Chief: Carol L. Kline

PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: July 7, 1995
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Development Plans Review
RE: Zoning Advisory Committee Meeting
for July 3, 1995
Item No. 456

The Development Plans Review Division has reviewed the subject zoning item. This proposal is subject to conformance with the Landscape Manual.

RWB:ew

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-4500

(410) 887-4500

DATE: 07/03/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STDP-1105

RE: Property Owner: BRUCE E. CROCKETT & CHRISTINE M. CROCKETT

LOCATION: N/S WINDSOR MILL RD., NWC WINDSOR MILL AND GWYNN OAK AVE.
(6410 WINDSOR MILL RD.)

Item No.: 456 Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
JUL 3 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

Printed on Recycled Paper

ITEM456/PZONE/ZAC1

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

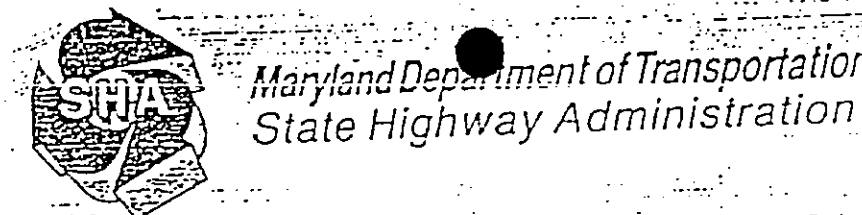
TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 6/24/95
DATE: 6/30/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:
450
451
452
453
456
457
458
459
460
463
465
467

LS:sp

LETTYZ/DEPRM/TXTSPB



Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 456 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

PETITION PROBLEMS
AGENDA OF JUNE 26, 1995

#451 -- MJK

1. No legal owner listed on petition form.
2. No address or telephone number for protestants.
3. Zoning listed on petition form does not agree with zoning on front of folder (D.R.-5.5 on petition form; D.R.-5.5, D.R.-10.5, D.R.-16, O-2 listed on folder).

#452 -- JLL

1. Petitioner's copy of receipt is still in folder.

#454 -- RT

1. No special hearing fee charged to amend the FDP.
2. Need attorney.

#455 -- MJK

1. No telephone number for legal owner.

#456 -- JRA

1. No telephone number for legal owner.
2. No councilmanic district on folder.

#457 -- MJK

1. No telephone number for legal owner.

#459 -- MJK

1. Need title of persons signing for legal owner.
2. No telephone number or address for representative to be contacted.

RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
6410 Windsor Mill Road, N/S Windsor Mill
Road, NWC Windsor Mill and Gwynn Oak Aves.
2nd Election District, 2nd Councilmanic
Bruce E. and Christine M. Crockett
Petitioner
* * * * *
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-462-SPHX
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 987-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 1995, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esquire, Posolio, Silverman & Kotz, P.A., 502 Washington Avenue, Suite 220, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

LAW OFFICES
ROSOLIO, SILVERMAN & KOTZ, P.A.
SUITE 220, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4513

DEBORAH C. DOPKIN

TELEPHONE 410-339-7100
FAX NO. 410-339-7107

January 21, 1994

Timothy M. Kotrocco
Deputy Zoning Commissioner
Suite 113 Courthouse
400 Washington Avenue
Towson, Maryland 21204

RE: Case Number 94-225-SPHX

Dear Mr. Kotrocco:

Pursuant to our conversation of Friday, January 21, 1994, and in response to the Findings of Fact and Conclusions of Law issued by you on January 12, 1994 in regard to the above captioned case, I would appreciate clarification in the following regard. I draw your attention to the second and third full paragraphs on page 6, which I believe are intended to permit the requested special exception for a service garage, including a paint and body shop, on all of the various properties that were the subject of the Petitions filed in this matter.

Therefore, by way of clarification only, please confirm that your Order, dated January 12, 1994, includes all those properties shown on the plat submitted with the Petition, and known as 6400-6402 Windsor Mill Road, the rear of 2104 and 2106 Gwynn Oak Avenue, and the entire property known as 2110 Gwynn Oak Avenue. These properties form a contiguous, irregularly L-shaped parcel, all as more clearly shown on the plat.

If this is a correct interpretation of the Order, I would appreciate your so noting on the attached copy of this letter, and returning a copy to me for my client's records. I would further ask that you include a copy of your confirmation in the zoning file attached to the zoning order so as to avoid any confusion in the future.

IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION - NE/S
Windsor Mill Road, 127' NW of
Gwynn Oak Ave. (6400-02 Windsor
Mill Rd.); NW/S Gwynn Oak Ave.,
183' NE of Windsor Mill Rd.
(2110 Gwynn Oak Ave.); and,
111.97' NE of Gwynn Oak Ave.
(Rear of 2104 Gwynn Oak Ave.)
2nd Election District
2nd Councilmanic District
Norbert J. Richardson, et ux
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception for the subject properties, known as 6400-6402 Windsor Mill Road, 2110 Gwynn Oak Avenue, and the Rear of 2104 Gwynn Oak Avenue. The Petitions were filed by the owners of the subject properties, Norbert J. and Honor E. Richardson, and the Contract Purchaser, Bruce E. Crockett. The Petitioners request a special hearing to approve the continuation of an existing service garage use, including a paint and body shop, on the property known as 6400-6402 Windsor Mill Road, as a valid, nonconforming use. The Petitioners also seek a modification to Case No. 3980-X to permit the use of the rear of 2104 Gwynn Oak Avenue for a paint and body shop, and a modification to Case No. 78-128-X to include the entire property known as 2110 Gwynn Oak Avenue as part of the service garage operation, and to permit a paint and body shop use thereon. In addition, the Petitioners seek a special exception to continue the existing service garage use, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). The relief requested is more particularly described on the Plat to Accompany the Petitions filed, identified herein as Petitioner's Exhibit 1.

MAY-10-95 TUE 14:59 CROCKETT & SONS

4184847426

P-02

Woodlawn Village Business and Professional Assn.
2137 Gwynn Oak Avenue
Baltimore, Md. 21207

President - William Obrieht
Vice-President - Audrey Simmons
Treasurer - Jim Waddy

May 17, 1995

Mr. Arnold Jablon, Director
Baltimore County Government
Office of Zoning Administration and
Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

The Woodlawn Village Business and Professional Assn. has no objection to the plans of Bruce E. Crockett to renovate 6410 Windsor Mill Road and incorporate it into the Crockett & Sons, Inc. t/a Security Auto Body facility to enhance the Woodlawn Village community.

In accordance with prior agreements, the body shop will continue to operate with the following restrictions.

1. No junked cars will be stored on the premises. Only cars in the process of repairing or restoration will be permitted on the property.
2. No damaged cars can be left in front of the property for more than 24 hours.
3. No repairs can be made on cars parked in front of the property except for minor repairs which can be done in a short time.

Sincerely,

William Obrieht
William Obrieht, President

LAW OFFICES
ROSOLIO, SILVERMAN & KOTZ, P.A.
SUITE 220, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4513

DEBORAH C. DOPKIN

TELEPHONE 410-339-7100
FAX NO. 410-339-7107

November 3, 1995

Baltimore County
Office of Permits and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Attention: Gwen Stephens

RE: Case No. 95-462-SPHX

Dear Ms. Stephens:

This firm represents Bruce E. and Christine Crockett in connection with the above captioned case. Deputy Zoning Commissioner Kotrocco issued an Order dated August 7, 1995 approving the request. A condition of his Order required that a revised site plan be submitted incorporating the modified relief granted in the Order.

Please find enclosed two copies of the modified site plan as required by the Deputy Zoning Commissioner's Order. Please include these site plans in the file of this case so they will become a part of the record.

Thank you for your attention to this matter.

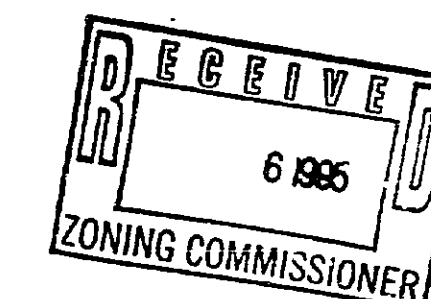
Very truly yours,

Deborah C. Dopkin

DCD/kmc

Enclosure

cc: Timothy Kotrocco, Deputy Zoning Commissioner
Mr. and Mrs. Bruce E. Crockett

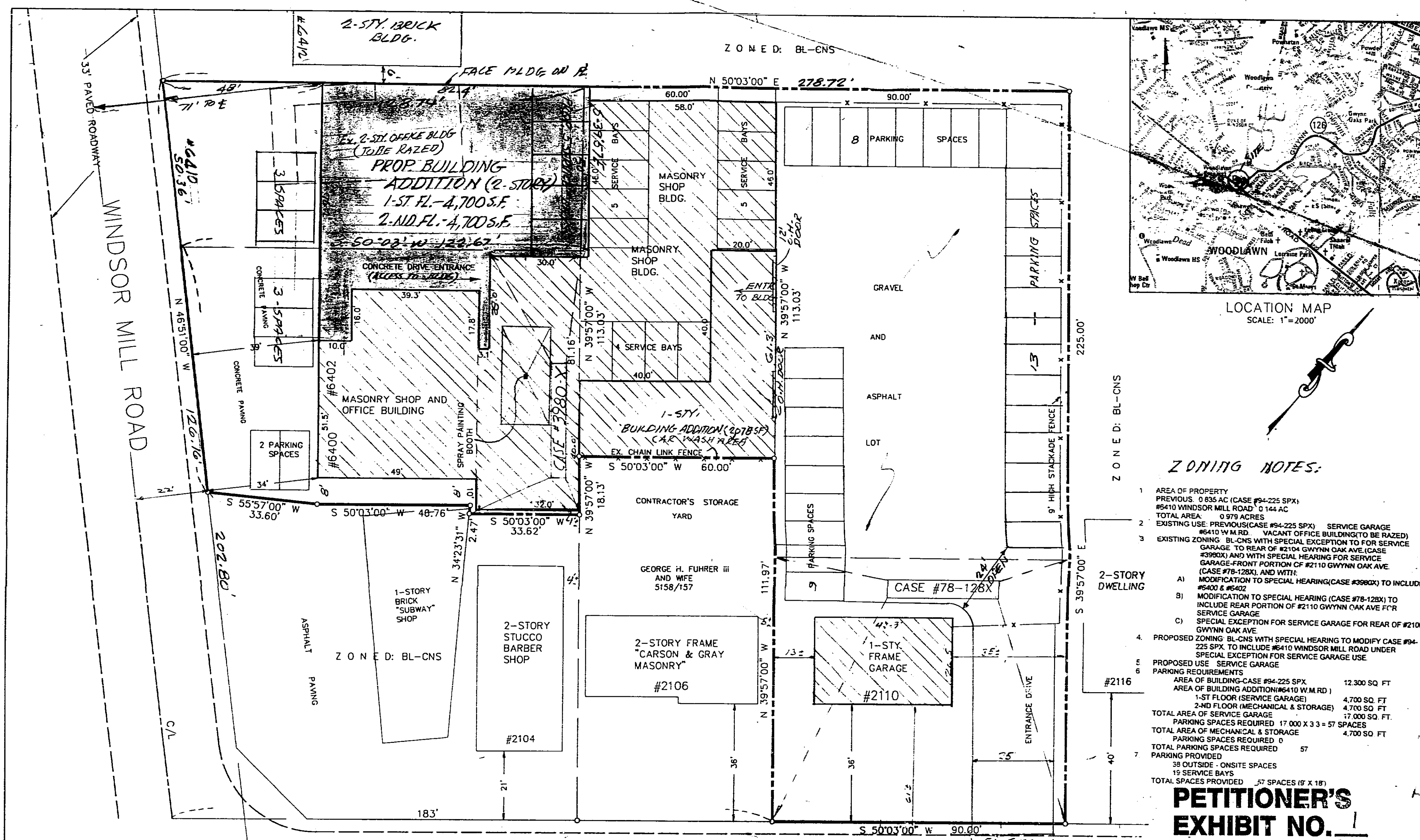


PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
CHRISTINE M. CROCKETT	2590 BOLLINGER MILL RD, FINKSBURG, MD 21048
DEBORAH DORRIS	503 WASHINGTON AVE, NIDAY
JUDY MAISE	2923 CHENOA AVE, BALTO 21234

PLEASE PRINT CLEARLY BALTIMORE COUNTY REPRESENTATIVES SIGN-IN SHEET

NAME	ADDRESS
Elise Collison	6442 Windsor Mill Rd
Margaret McCallum	2402 Windsor Mill Rd, Balto, MD 21207



GWYNN OAK AVE.
(MD. RT. #126)

TITLE DEEDS ACQUIRED BY NORBERT J. RICHARDSON, SR.

PARCEL	REF. OF DEED	DATE
#210 GWYNN OAK AVE.	5399-581	SEPT. 1973
REAR #2106 GWYNN OAK AVE.	4873-520 (2ND FLOOR)	MAY, 1968
REAR #2104 GWYNN OAK AVE.	4873-500 (1ST FLOOR)	MAY, 1968
#6400 & #6402 WINDSOR MILL RD.	2775-124	AUG. 1955
	4101-459	JAN. 1963
	4402-337	NOV. 1964

#6410 WINDSOR MILL ROAD ACQUIRED FROM LEO G. CRISMER, SR. JUNE 2, 1985

PLAT TO ACCOMPANY PETITION FOR MODIFICATION TO CASE NO. 94-225SPHX TO INCLUDE #6410 WINDSOR MILL ROAD TO PREVIOUSLY APPROVED SPECIAL EXCEPTION FOR SERVICE GARAGE USE

2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

PETITIONERS:

BRUCE E. AND CHRISTINE M. CROCKETT
2590 BOLLINGER MILL ROAD
FINKSBURG, MD. 21048
PHONE (410) 944-7800



CASE # 94-225 SPX

MAISTE & WATTS, INC.
SURVEYORS AND ENGINEERS
2923 CHENOA AVE. BALTIMORE, MD. 21234
PHONE (410) 882-0321

REVISED: 5-23-95 BY D

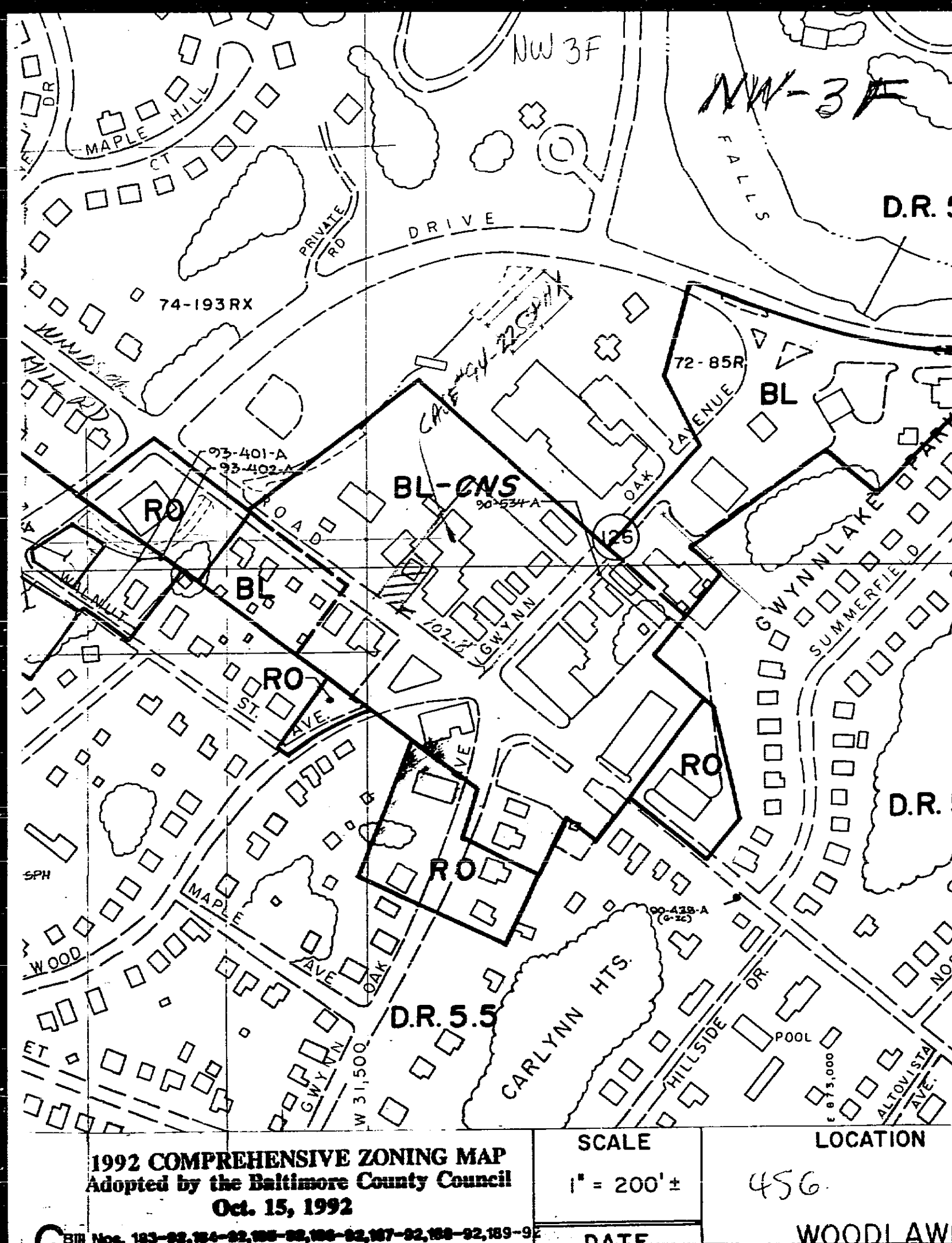
UPDATED FOR BLDG. ADDITION: 3-1-95

REV. 10-10-94 BUILDING

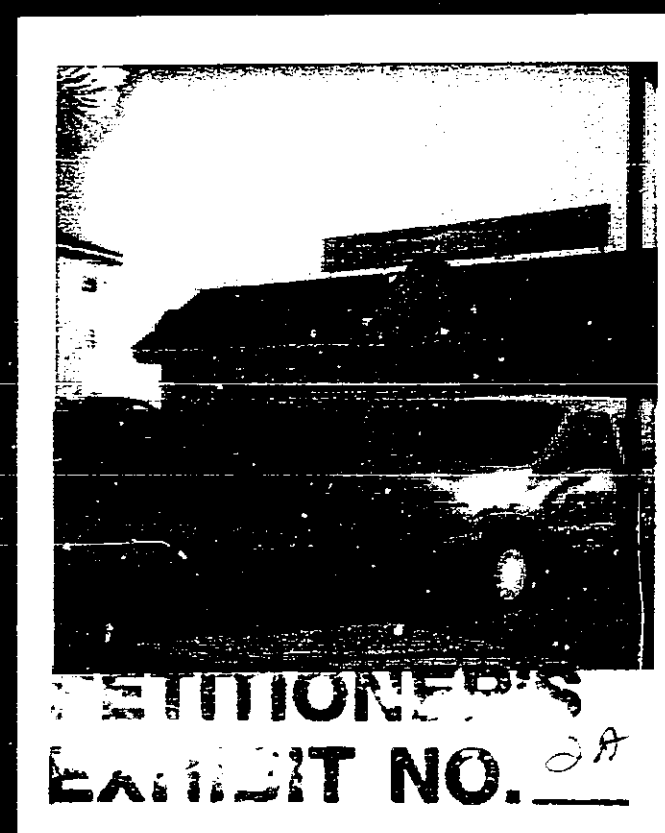
DATE: NOV. 30, 1993

SCALE: 1"=20'

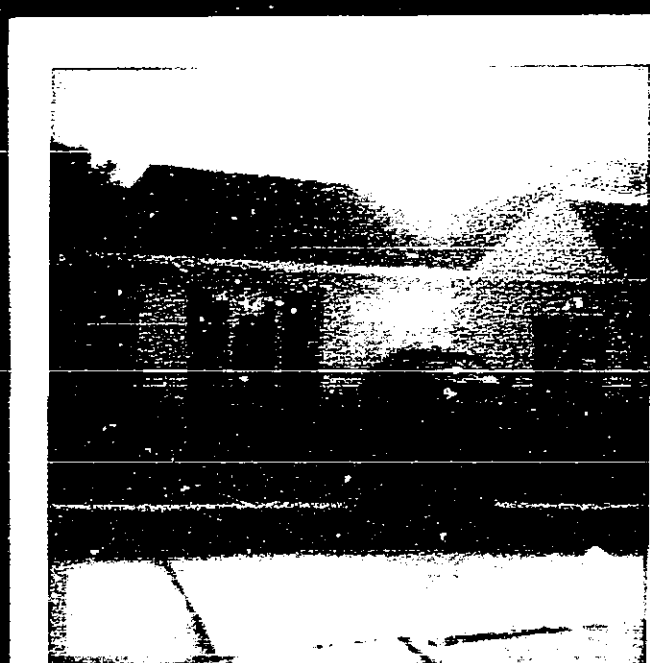
PROJ. NO. 93-184



Petitioner's
Exhibits 2A-C
95-462-SPHX
photographs



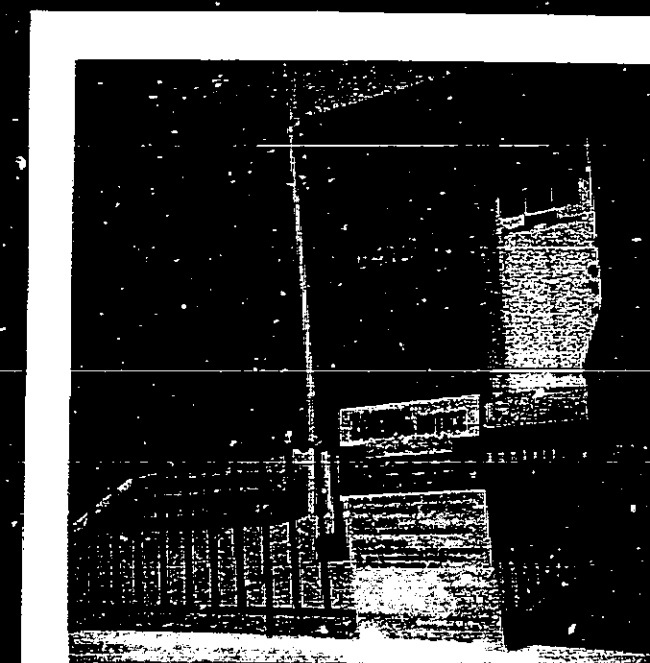
PETITIONER'S
EXHIBIT NO. 2A



2B



2C



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